IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

OP.No. 20576 of 2000(Y)

PETITIONER:

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1. BHASKARAN.A.K.,
S/O.LATE KOCHERUKKAN,
ANDICHIRAYIL, PERIAPPURAM PO,
PAMPAKKUDA, ERNAKULAM.

2. JANAKI BHASKARAN,
W/O.BHASKARAN.A.K.,
.DO. .DO.

BY ADV. SRI.P.JACOB VARGHESE
SMT.V.A.GANGUJA
SRI.P.FAZIL

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, CIVIL STATION,
KAKKANADU, ERNAKULAM.

2. THE DEPUTY TAHSILDAR (R.R.),
MUVATTUPUZHA TALUK,
TALUK OFFICE, MUVATTUPUZHA.

3. THE VILLAGE OFFICER,
ONAKKOOR VILLAGE,
VILLAGE OFFICE, ANCHALPETTY,
PAMPAKKUDA, MUVATTUPUZHA.

ADDL. RESPONDENT:

4. BANK OF INDIA, ANCHALPETTI BRANCH,
ANJALPETTY, PAMBAKKUDA REP. BY
ITS MANAGER.

(ADDL. 4TH RESPONDENT IS IMPLEADED AS PER
ORDER DT.26.7.2000 IN CMP NO.35065/2000.)

R1 TO 3 BY G.P. SMT.SMITHA SUKUMAR

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NOS.34467 & 42495/2000 IN O.P. NO.20576/2000

DISMISSED:

6.12.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE PHOTOCOPY OF THE TAX PAID RECEIPT DT.18.2.2000.

P2: .DO. .DO.

P3: .DO. DT.23.2.2000.

P4: TRUE PHOTOCOPY OF SALE DEED DT.17.7.1980 OF PIRAVOM SUB REGISTRY.

P5: TRUE PHOTOCOPY OF TAX PAID RECEIPT IN THE NAME OF 2ND PETITIONER IN RESPECT OF 30 CENTS IN SY. NO.1050/2&3 OF ONAKKOOR VILLAGE DT.18.2.2000.

P6: TRUE PHOTOCOPY OF SALE DEED NO.1338/93 OF SUB REGISTRY, PIRAVOM.

P7: TRUE PHOTOCOPY OF THE NOTICE DT.16.2.2000 BY R2.

P8: TRUE PHOTOCOPY OF PETITION BY THE PETITIONERS TO R3.

TRUE COPY

PA TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.20576 of 2000

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Dated this the 6th day of December, 2007.

JUDGMENT

The petitioners have volunteered to challenge recovery proceedings on the ground that revenue recovery is initiated against them. However, Government Pleader pointed out that revenue recovery notice is against one Biju Bhaskaran and not against the petitioners. It is for the second respondent to identify the property of the defaulter and proceed for recovery. The Bank will furnish particulars of the property mortgaged and other details of the loan for the recovery authorities to proceed. The O.P. is closed as above.

C.N.RAMACHANDRAN NAIR
Judge

pms